

# The Odisha Gazette

EXTRAORDINARY

PUBLISHED BY AUTHORITY

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No. 1851, CUTTACK, TUESDAY, SEPTEMBER 25, 2012/ ASWINA 3, 1934

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HOME (SPECIAL SECTION) DEPARTMENT

NOTIFICATION

The 24th September, 2012

**S.R.O. No.524/2012**— Whereas, the State Government in exercise of the powers conferred by Section 3, read with sub-section(1) of Section 5 of the Commissions of Inquiry Act, 1952 ( Act 60 of 1952), had appointed a Commission of Inquiry consisting of Hon'ble Justice S.C. Mohapatra (Retd.) to enquire into and report in respect of the following matters, namely:—

- (i) Analysis of sequence of events and circumstances leading to the killing of Swami Laxmanananda Saraswati on the 23rd August, 2008 and the incidents of violence in its aftermath;
- (ii) The role, conduct and responsibility of individuals, organizations, groups and/or agencies in precipitating / committing the above crimes;
- (iii) Whether the measures taken, the quantum of force used in anticipating, preventing and handling the situations were adequate;
- (iv) Any other matter connected with the incidence or incidental thereto as the Commission may consider appropriate.

And, whereas, the tenure of the Commission of Inquiry has been extended from time to time up to forty-eight months.

And, whereas, Hon'ble Justice S.C. Mohapatra passed away on 12th May, 2012 and the enquiry remains incomplete in the mean time and it is felt expedient in the interest of justice to entrust the residuary enquiry to another Commission of Inquiry headed by a Retired High Court Judge to conclude the process of enquiry.

Now, therefore, in exercise of the powers conferred by Section 3 read with sub-section (1) of Section 5 of the said Act, the State Government, after careful consideration, do hereby appoint Hon'ble Sri Justice A.S.Naidu(Retd.) as Commission of Inquiry to take up the enquiry from the stage it was left over by Late Justice S.C.

Mohapatra. The terms of reference of the Commission will be the same as mentioned in the 1st paragraph.

Further, the State Government do hereby direct that the provisions of sub-sections (2), (3), (4) and (5) of Section 5 of the said Act shall also apply to the Commission as the State Government are of the opinion that having regard to the nature of enquiry to be made and other circumstances of the incident, these provisions should be made applicable to the Commission.

The Commission of Inquiry may also perform such other functions as are deemed necessary or incidental to the enquiry.

The headquarters of the Commission shall be at Bhubaneswar. However, the Commission may hold the enquiry at Phulbani or at any other place as may be considered necessary for the purpose of enquiry.

The tenure of the Commission that was to expire on 16th September, 2012 is extended by six more months.

[No. 2737/C.]

By Order of the Governor

U.N.BEHERA

Principal Secretary to Government